



Howrey Docket No. 04813.0026.NPUS00
Metallic Power Ref. No. MPPT.0021.NPRUS01

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Jeffrey A. Colborn, et al.

Appl. No.: 10/058,231

Filed: October 19, 2001

For: **METHODS OF USING FUEL CELL
SYSTEM CONFIGURED TO PROVIDE
POWER TO ONE OR MORE LOADS**

Art Unit: 1745

Examiner: Donald Scaltrito

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**Terminal Disclaimer to Obviate a Double Patenting
Rejection Under 37 C.F.R. § 1.321(c)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

METALLIC POWER, INC. represents that it is the owner of the entire right, title, and interest of U.S. Patent Application No. 09/930,394, and any U.S. Patent that may issue therefrom, by virtue of an Assignment from inventor Jeffrey A. Colborn executed on September 20, 2001, and recorded on October 1, 2001, at Reel 012258, Frame 0936. **METALLIC POWER, INC.** further represents that it is the owner of the entire right, title, and interest of the above-named Application No. 10/058,231 by virtue of the Assignment from inventors Jeffrey A.

CERTIFICATE OF MAILING
(37 C.F.R. § 1.8a)

I hereby certify that this paper (along with any referred to as being attached hereto) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

December 3, 2003
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This disclaimer is accompanied by the fee set forth under 37 C.F.R. § 1.20(d). The U.S. Patent and Trademark Office is hereby authorized to charge this fee, and any fee deficiency, to our Deposit Account No. 08-3038, referencing Docket No. 04813.0026.NPUS00.

Respectfully submitted,

HOWREY SIMON ARNOLD & WHITE LLP

Date: December 3, 2003


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